

MOTION FOR LEAVE TO WITHDRAW AS COUNSEL

**United States District Court
Southern District of Texas
FILED**

IN THE UNITED STATES DISTRICT COURT

AUG 26 2011

FOR THE SOUTHERN DISTRICT OF TEXAS

David J. Bradley, Clerk of Court

STEPHON WIGGINS)
)
Plaintiff,)
)
vs.) CASE NO. 4:10-cv-4209
)
ST. LUKE'S EPISCOPAL HEALTH SYSTEM)
)
AKA ST. LUKE'S EPISCOPAL HOSPITAL)
)
Defendant)

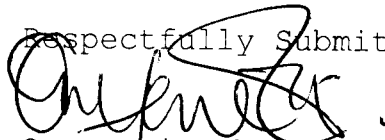
I. INTRODUCTION AND FACTS

Onyenezi, Chukwuka Frank and THE ONYENEZI LAW FIRM, the undersigned attorney of record for Plaintiff moves the Court for an order allowing him to withdraw as counsel in the above captioned case. Plaintiff, Stephon Wiggins has indicated to counsel his willingness to terminate, and has actually terminated counsel's representation of plaintiff in the ongoing action. See attached copy of plaintiff's termination of counsel's services, which is hereby incorporated by reference.

Plaintiff has consented to counsel's withdrawal, and withdrawal does not in any way prejudice either plaintiff, or defendant.

II. AUTHORITY

Pursuant to Local Rule 83.2, although no delay will be countenanced because of withdrawal of counsel, withdrawal of counsel may be effected by motion and order. Furthermore, withdrawal of counsel will recognize the client's prerogative to choose counsel, and will not postpone the discovery cut-off, dispositive motion deadline, or delay the trial date, so neither party will be materially prejudiced by the withdrawal of counsel. Accordingly, the Court should grant this motion and permit the withdrawal plaintiff's counsel.

Respectfully Submitted,


Onyenezi, Chukwuka Frank, Esq.

WSBA#37145

Fed. Id. No 609484

9898 Bissonnet St., Ste. 625

Houston, Texas 77036

713-782-6688-Phone

713-782-6633-Fax

ORDER

UPON CONSIDERATION OF PLAINTIFF'S COUNSEL'S MOTION TO WITHDRAW,
IT IS ORDERED THAT COUNSEL'S MOTION BE, AND IS HEREBY GRANTED,
AND COUNSEL BE ALLOWED TO WITHDRAW.

SIGNED ON THIS ____ DAY OF AUGUST 2011

JUDGE PRESIDING

Chukwuka Frank Onyenezi
The Onyenezi Law Firm, P.C.
9898 Bissonnet St., Suite 625
Houston, Texas 77036
Phone Number: 713-782-6688
Facsimile: 713-782-6633

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Stephon Wiggins)	CASE NO. 4:-cv-4209
)	
Plaintiff,)	
)	
vs.)	
)	
St. Luke's Episcopal Health System,)	
AKA St. Luke's Episcopal Hospital,)	
)	
Defendant)	

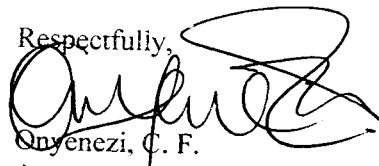
CERTIFICATE OF SERVICE

This certifies that, I, Onyenezi, Chukwuka Frank, on this 24th day of August, 2011 mailed , faxed, or delivered a copy of this Motion to Withdraw as Counsel in the above captioned case to Norasha Williams, Esq., via certified mail, return receipt requested. at the following address:

Wells Fargo Plaza
1000 Louisiana Street, Suite 5400
Houston, Texas 77002-5028

Via Facsimile Number: 713-750-3101

Respectfully,


Onyenezi, C. F.
Attorney at Law

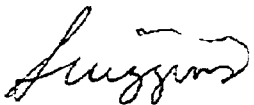
To: Frank Onyenezi
From: Stephon Wiggins
Date: August 20, 2011
Re: Services Terminated.

Good Morning Mr. Frank,

After careful consideration, and information acquired from the defendant, of rules violated. These time restraints under duress have caused great damage to me and my case. The lack of making yourself available to me and the defendant is unacceptable, and because of this misconduct, compromises our time and the talent I perceived of you.

To this, your services are no longer needed, your firm and its affiliates are to refrain from conducting business or commenting to anyone including St. Lukes, or their attorney's pertaining to me or any matter of this case.

Respectfully submitted,



Stephon Wiggins